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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

IO GROUP, INC.,

No. C-06-5334 HRL (MEJ)

Plaintiff(s),

**ORDER RE: USER NAME AND
PASSWORD**

vs.

WEBNOVA TECHNOLOGIES, INC. and
GONETMARKET, INC.,

Defendant(s).

/

The Court is in receipt of the parties' letter, dated April 23, 2007, regarding the settlement agreement in this matter. As part of the agreement, the parties will create and secure a User Name and Password for the domain name, www.xtube.com. The parties now request that the undersigned, as the mediator of the settlement, hold the User Name and Password for safe-keeping. The Court finds the parties' request reasonable and ORDERS as follows:

- 1) Defendants shall file the User Name and Password as a hard copy document with the Clerk of Court. The document shall be contained in an 8½-inch by 11-inch sealed envelope with a cover sheet affixed to the envelope setting out the information required by Civil Local Rule 3-4(a) and (b).
- 2) The envelope shall prominently display the notation: "DOCUMENT SUBMITTED UNDER SEAL - NOT TO BE OPENED BY ANY PARTY, COURT PERSONNEL, OR ANY

1 OTHER PERSON WITHOUT COURT ORDER FROM MAGISTRATE JUDGE MARIA-
2 ELENA JAMES."

3 The undersigned shall release the User Name and Password to Plaintiff IO Group only if IO
4 Group provides reasonable written proof that Defendants both (a) failed to make the Initial
5 Payment or one of the Monthly Payments as described in Article 1 of the settlement
6 agreement, and (b) failed to cure such a non-payment as described in Article 2 of the
7 settlement agreement. Such written proof shall be provided through a properly noticed
8 motion as required under Civil Local Rule 7.

9 **IT IS SO ORDERED.**

10 Dated: May 1, 2007

11 
12 MARIA ELENA JAMES
13 United States Magistrate Judge